

## **REMARKS/ARGUMENTS**

The rejections presented in the Office action dated March 17, 2010 (hereinafter Office action), have been considered. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Applicant appreciates the indication of allowance of claims 5-11 and 14-16 at page two.

The Office action includes a discrepancy as to the status of claim 14. At page two, section number four, claims 5-11 and 14-16 are indicated as being allowed; however, section number five indicates that claim 14 is rejected. Since claim 14 is an apparatus claim that does not include the term “computer readable media” at issue in the rejection set forth in section number five, it is Applicant’s understanding that claim 14 is in condition for allowance. If this understanding is incorrect, Applicant requests clarification and an opportunity to respond.

With respect to the § 101 rejection of claims 12, 13, and 19, the claims have been amended to be directed to computer-readable memory. Since memory is non-transitory storage media, the claims are limited to statutory subject matter. Support for these changes may be found, for example, in allowed claims 8 and 10; therefore, the changes do not introduce new matter. Applicant accordingly requests that the rejection be withdrawn.

Applicant respectfully traverses the § 101 rejection of claims 1-4, 17, and 18 because the claims are tied to particular machines. For example, independent claim 1 specifically recites that determining both the contents of sub-objects and at least one data element is performed in a device management server. Similarly, independent claim 17 recites that the claimed method is performed in a terminal (as amended in the response filed on July 1, 2009). These independent claims have been further amended to recite that each method step is performed in or by the respective device management server and terminal. Applicant further notes that the recent Supreme Court decision in *Bilski v. Kappos*, No. 08-964, 2010 WL 2555192 (June 28, 2010) held that the machine-or-transformation test is not the sole test for patentable subject matter under § 101. Since each of the method claims was tied to another statutory category of subject matter, the rejection is improper. Applicant accordingly requests that the rejection be withdrawn.

In addition, claims 5-7 have been amended to replace the word “arranged” with “configured”. This change is not made for any reasons related to the pending rejections or any

asserted art and is not believed to affect the allowance of the claims. Each of the claims is believed to be patentable for the reasons set forth above with, or without, these changes.

In accordance with the above comments and amendments, Applicant submits that each of the claims is in condition for allowance.

Authorization is given to charge Deposit Account No. 50-3581 (IHN.023.US) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

HOLLINGSWORTH & FUNK, LLC  
8500 Normandale Lake Blvd., Suite 320  
Minneapolis, MN 55437  
952.854.2700

Date: August 31, 2010

By: /Erin Nichols Matkaiti/

Erin Nichols Matkaiti  
Reg. No. 57,125